

HOUSE BILL REPORT

HB 1944

As Reported by House Committee On:
Transportation

Title: An act relating to vehicle license plate and registration fraud.

Brief Description: Addressing vehicle license plate and registration fraud.

Sponsors: Representative Haler.

Brief History:

Committee Activity:

Transportation: 2/25/13, 2/26/13 [DPS].

Brief Summary of Substitute Bill

- Makes it unlawful for a person to display a license plate on a vehicle that does not match the registration.
- Makes it a gross misdemeanor for a person that switches or flips license plates on a vehicle or falsifies a vehicle registration.
- Authorizes a law enforcement officer to impound a vehicle that is found with an installed license plate-flipping device as evidence.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 27 members: Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Angel, Bergquist, Farrell, Fitzgibbon, Freeman, Habib, Hayes, Johnson, Klippert, Kochmar, Moeller, Morris, O'Ban, Riccelli, Rodne, Ryu, Sells, Takko, Tarleton, Upthegrove and Zeiger.

Minority Report: Do not pass. Signed by 3 members: Representatives Overstreet, Assistant Ranking Minority Member; Kristiansen and Shea.

Staff: Jerry Long (786-7306)

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Background:

The Department of Licensing (DOL) must furnish to all persons making satisfactory application for vehicle registration two identical license plates, each containing the license plate number, or one plate if the vehicle is of the type that only requires it to have a single license plate. The license plates must be attached conspicuously at the front and rear of the vehicle if two plates have been issued. It is unlawful to: display a license plate on the front or rear of any vehicle that was not issued by the DOL; display a license plate on any vehicle that has been changed, altered, or disfigured, or become illegible; use a holder, frames, or other materials that change alter, or make a license plate illegible; or operate a vehicle unless a valid license plate or plates are attached to the vehicle as required by statute. These are traffic infractions with a fine amount of \$124.

Transfer of a license plate or plates between vehicles before application has been made and approved by the DOL is a traffic infraction subject to a fine not to exceed \$500.

Summary of Substitute Bill:

The substitute bill makes it unlawful for a person:

- to display a license plate that does not match or correspond with the registration of the vehicle unless the vehicle is inventory for a vehicle dealer; and
- to have an installed license plate-flipping device on a vehicle, to use technology to flip a license plate, or to use technology to change the appearance of a license plate on a vehicle.

It is also unlawful for a person or entity to sell a license plate-flipping device or sell technology that will change the appearance of a license plate. A person who switches or flips license plates on a vehicle physically, utilizes technology to flip or change the appearance of a license plate on a vehicle, sells a license plate-flipping device or technology that will change the appearance of a license plate, or falsifies a vehicle registration in violation of this section, in addition to any traffic infraction, is guilty of a gross misdemeanor punishable by confinement of up to 364 days in the county jail and a fine of \$1,000 for the first offense, \$2,500 for a second offense, and \$5,000 for any subsequent offense, which may not be suspended, deferred, or reduced. A vehicle that is found with an installed license plate-flipping device or technology to change the appearance of a license plate may be impounded by a law enforcement officer as evidence. The substitute bill encourages citizens to notify law enforcement immediately if they observe a vehicle with a license plate-flipping device.

The substitute bill provides a definition for a license plate-flipping device which is defined as a device that enables a license plate on a vehicle to be changed to another license plate either manually or electronically. This also includes technology that is capable of changing the appearance of a license plate to appear as a different license plate.

Substitute Bill Compared to Original Bill:

The substitute bill:

- clarifies that it is unlawful for a person to have an installed license plate-flipping device on a vehicle, use technology to flip a license plate, or use technology to change the appearance of a license plate on a vehicle;
- makes it unlawful for a person or entity to sell a license plate-flipping device or sell technology that will change the appearance of a license plate;
- sets different fines for previous offenses for a person who switches or flips license plates on a vehicle physically, utilizes technology to flip or change the appearance of a license plate on a vehicle, sells a license plate-flipping device or technology that will change the appearance of a license plate, or falsifies a vehicle registration in violation of this section. In addition to any traffic infraction, they are guilty of a gross misdemeanor punishable by confinement of up to 364 days in the county jail and a fine of \$1,000 for the first offense, \$2,500 for a second offense, and \$5,000 for any subsequent offense, which may not be suspended, deferred, or reduced. The original bill had one fine of \$5,000 for any offense, which may not be suspended, deferred, or reduced;
- provides that a vehicle that is found with an installed license plate-flipping device or technology to change the appearance of a license plate may be impounded by a law enforcement officer as evidence;
- encourages citizens to notify law enforcement immediately if they observe a vehicle with a license plate-flipping device; and
- provides a definition for a license plate-flipping device, which is defined as a device that enables a license plate on a vehicle to be changed to another license plate either manually or electronically. This also includes technology that is capable of changing the appearance of a license plate to appear as a different license plate.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The bill was brought forward by law enforcement concerning the license plate flipper which automatically changes a vehicle license plate from one plate to another license plate within seconds. This changing of a license plate has officer safety implications. A vehicle could have been used in a crime and, by flipping the license plate, it could be hard to then locate the vehicle. The sponsor would not be opposed to adding provisions for future technology that could change the appearance of a license plate along with making it illegal to sell a license plate flipper in the State of Washington.

(Opposed) None.

Persons Testifying: Representative Haler, prime sponsor.

Persons Signed In To Testify But Not Testifying: None.